



Tommy Irvin
Commissioner

Georgia Department of Agriculture

Pesticide Division, Room 550, 19 M.L.K. Jr. Drive, S.W.
Atlanta, GA 30334-4201, 404-656-4958, Fax: 404-657-8378

IMPORTANT

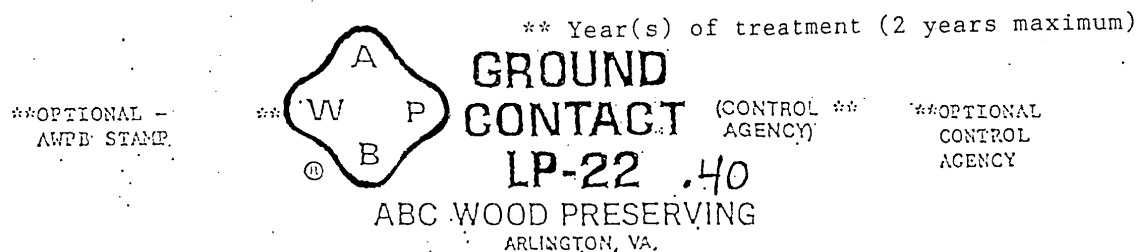
ALL TREATED TIMBER LICENSES EXPIRE JUNE 30, EVERY YEAR. PLEASE COMPLETE AND RETURN THE ENCLOSED APPLICATION WITH YOUR \$25.00 FEE FOR RENEWAL.

WE LIKE TO REMIND YOU OF THE FOLLOWING REQUIREMENTS WHICH MUST BE STRICTLY ADHERED TO:

1. All treated products must be marked with an appropriated State-approved brand; approved tags are also acceptable.
2. Brands for post and lumber are not interchangeable. Lumber brands and post brands must bear the specific information required for that commodity. Post brands must bear the year of treatment and identity of company.
3. The Georgia Department of Agriculture must be notified in writing before a treater makes change in a brand, the type of treatment, or the commodities treated in a given plant.
4. (Year of Treatment) may appear on a stamp or tag. Multiple year brands up to (2) two years are acceptable (99-00).
5. Rough sawn lumber treated with any preservative must be tagged with the same information as required of lumber treated with water borne preservatives.
6. TSO (Treating Service Only) (peeler cores) is not allowed without the required brands.
7. Landscape timber or any timber that is dipped (Treated to Refusal), or painted must be labeled as untreated and not conforming to the Georgia Treated Timber Act. You must contact us for additional appropriate language.

NOTE: DUE TO THE DELAY IN RENEWAL MAILOUT, YOUR RETURN DEADLINE IS EXTENDED TO JULY 30, 2000.

8. Brands on all lumber, timber and plywood treated with water borne preservatives must be applied clearly with reasonable permanency and information arranged in the following format:



1. All treated timber not meeting the standards for marking (including legibility) or failing to meet the penetration and retention standards will be placed under "Stop Sale Order".
2. Any treater whose products consistently fail to meet the treatment standards will be required to discontinue all sales of treated timber until the treater can satisfactorily assure the specifications.

******* RETURN YOUR COPIES OF ALL TAGS OR STAMPS SHOWING *****
RETENTIONS YOU TREAT.**

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APPLICATION FOR GEORGIA TREATED TIMBER PROCESSORS LICENSE

Date of Application

____ / ____ / ____
Month Day Year

Check One

☐

This is the first time this company has applied
for a GA Treated Timber Processors License.

☐

This is renewal application.

Furnish the Name and Address of all treating
operations within the State of Georgia, and all treating
locations outside the State from which treated timber
or treated timber products will be shipped into Georgia.

PRIMARY BUSINESS LOCATION

Name _____

Mailing Address _____

(If P.O. Box, also give physical address)

City _____ State _____ Zip _____ County _____ Telephone _____

OTHER TREATING LOCATIONS

Name _____

Address _____

City _____ Zip _____

Name _____

Address _____

City _____ Zip _____

Name _____

Address _____

City _____ Zip _____

Name _____

Address _____

City _____ Zip _____

Commodities

Treated **

Treated Standards Employed

Oil Borne
AWPA Standard

Water Borne
AWPB Standard

Preservative Used

Guaranteed Average Retention

** Refer to as: Lumber, Piles, Plywood, Posts, Poles

I certify that the above information is correct: _____

↑ Applicant's Signature

Title ↑

NOTE: (1) This application must be accompanied by a \$25.00 license fee (Check or Money Order) made payable to the Georgia Department of Agriculture

(2) Attach brands and or tags to a separate sheet of paper and submit with this application.

OFFICE USE ONLY

721 _____
License No.

Rev. 11/99

Date Paid: _____

Voucher: _____

By: _____

RULES
OF
GEORGIA DEPARTMENT OF AGRICULTURE
TREATED TIMBER AND TREATED TIMBER PRODUCTS

CHAPTER 40-22-1
DEFINITIONS

TABLE OF CONTENTS

40-22-1-.01 Definitions

40-22-1-.01 Definitions.

- (1) "Act" means the Georgia Treated Timber Products Act of 1973.
- (2) "Brand" means an identification mark assigned to a processor or dealer and used to mark each treated pole, post or piling, timber or other timber product.
- (3) "Dealer" means any person, firm or corporation who ships into or brings into this State, for sale, any treated timber or timber product treated outside the State.
- (4) "Guaranteed Average Retention" means the retention specified in the appropriate AWPB-AWPB Standard determined from assay of cores representatively taken from throughout the lot. From time to time the Commissioner will establish, subject to hearing, allowances for normal depletion of preservatives from commodities sampled and tested after transport from the treating plant.
- (5) "Lot" means a retort charge for inspection at processing plants. In all other cases it will be that material available at time and place of inspection consisting of a single commodity of a single species, from a single treater, and a single preservative treatment. For the purpose of enforcement, a lot for testing will not include treated timber or timber products which have been installed for use or which have been altered after initial treatment by cutting, sawing or similar modification.
- (6) "Lumber" means sawn wood less than five (5) inches in actual thickness.
- (7) "Preservative" means any chemical used in treating wood to retard or prevent deterioration or destruction caused by the action of insects, fungi or bacteria.
- (8) "Processor" means any person who treats timber or timber products with preservatives within the State of Georgia.
- (9) "Timber" means sawn wood of five (5) inches or more actual thickness.
- (10) "Treated Wood" means wood treated by the impregnation or application of chemical solutions or chemical mixtures for the purpose of retarding or preventing deterioration or destruction by insects, fungi, bacteria, or other wood destroying organisms.
- (11) "Treater" means any person within the State or outside of the State who treats timber or timber products subject to the provisions of this Act for distribution in the State.

Authority Ga. L. 1973, p. 1418. **Administrative History.** Original Rule was filed on September 5, 1975; effective September 25, 1975.

RULES
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TREATED TIMBER AND TREATED TIMBER PRODUCTS

CHAPTER 40-22-2
LICENSING REQUIREMENTS

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40-22-2-.01 Licensing Requirements

40-22-2-.01 Licensing Requirements.

Both Processor's and Dealer's Licenses will be renewable July 1, each year. Application forms shall be available from the Commissioner's Office. Renewal forms shall be mailed to all licensees on record at least 30 days prior to the expiration of the current licensing period. Forms shall contain information pertinent to applicant's operation, including, but not limited to:

(a) Processor's License.

1. Name and primary business address of applicant.
2. Address of all treating operations within the State of Georgia, and all treating locations outside the State from which treated timber or timber products will be shipped into Georgia.
3. Types of timber or timber products treated at each location, treatment employed, preservative used and guaranteed average retention per cubic foot.
4. Proposed brand to be used on each product.

(b) Dealer's License.

1. Name and primary business address of applicant.
2. Name and address of all Treaters whose treated timber or timber products are to be distributed in Georgia.
3. Types of timber or timber products treated at each location, the treatment employed, preservative used and the guaranteed average retention per cubic foot.
4. Proposed brand to be used on each product.

5. Attorney-In-Fact.

(c) Exemption.

1. No person shall be required to obtain a dealers license if he ships into or brings into Georgia only those products which have been treated by another licensee and are properly identified by said licensee's brand or mark.

Authority Ga. L. 1973, p. 1418. **Administrative History.** Original Rule was filed on September 5, 1975; effective September 25, 1975.

RULES
OF
GEORGIA DEPARTMENT OF AGRICULTURE
TREATED TIMBER AND TREATED TIMBER PRODUCTS

CHAPTER 40-22-3
STANDARDS FOR PRESERVATIVES

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40-22-3-.01	Standards for Preservatives	40-22-3-.02	Prohibited Preservatives
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40-22-3-.01 Standards for Preservatives. Amended.

All preservatives used to treat timber or timber products subject to the Act shall conform to the standards of identity of the American Wood-Preservers' Association as follows:

(a) Coal Tar Creosote for Land and Fresh Water Use-	P1/P13-91
(b) Creosote Solutions-	P2-90
(c) Water-Borne Preservatives-	P5-92
(d) Oil-Borne Preservatives-	P8-91
(e) Hydrocarbon Solvents-	P9-92

Authority Ga. L. 1973, p. 1418. O.C.G.A. Sec. [2-14-104](#). **History.** Original Rule entitled "Standards for Preservatives" was filed on September 5, 1975; effective September 25, 1975. **Amended:** Rule repealed and a new Rule of the same title adopted. Filed April 18, 1977; effective May 8, 1977. **Amended:** Rule repealed and a new Rule of the same title adopted. Filed April 15, 1982; effective May 5, 1982. **Repealed:** New Rule, same title, adopted. F. May 11, 1993; eff. May 31, 1993.

40-22-3-.02 Prohibited Preservatives. Amended.

The use of creosote-petroleum solutions as a preservative in treating timber products to be offered for sale is prohibited and any sale of products treated with such solutions is unlawful.

Authority Ga. L. 1973, p. 1418. O.C.G.A. Sec. [2-14-104](#). **History.** Original Rule entitled "Prohibited Preservatives" was filed on September 5, 1975; effective September 25, 1975. **Amended:** Rule repealed and a new Rule of the same title adopted. Filed April 18, 1977; effective May 8, 1977. **Repealed:** New Rule, same title, adopted. F. May 11, 1993; eff. May 31, 1993.

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CHAPTER 40-22-4
STANDARDS FOR TREATMENT

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40-22-4-.01 Standards for Treatment

40-22-4-.02 Resolution of Conflicts

40-22-4-.01 Standards for Treatment. Amended.

Treatment of all lumber, timber, timber products and plywood subject to the Act shall be accomplished in compliance with American Wood-Preservers' Association Standard C1-92 supplemented with the specific American Wood-Preservers' Association product standards as follows:

(a) Lumber-	C2-92
(b) Fence Posts-	C5-92
(c) Piles-	C3-92
(d) Plywood-	C9-90
(e) Poles-	C4-92
(f) Lumber Used Out of Contact with the Ground and Continuously Protected from Liquid Water-Treatment by Pressure Process-	C31-91

Authority Ga. L. 1973, p. 1418. O.C.G.A. Sec. [2-14-104](#). **History.** Original Rule entitled "Standards for Treatment" was filed on September 5, 1975, effective September 25, 1975. **Amended:** Rule repealed and a new Rule of the same title adopted. Filed April 18, 1977; effective May 8, 1977. **Amended:** Rule repealed and a new Rule of the same title adopted. Filed April 15, 1982; effective May 5, 1982. **Repealed:** New Rule, same title, adopted. F. May 11, 1993; eff. May 31, 1993.

40-22-4-.02 Resolution of Conflicts. Amended.

Where any conflict arises between Standard C1-92 and any specific product standard, the product standard shall prevail.

Authority Ga. L. 1973, p. 1418. O.C.G.A. Sec. [2-14-104](#). **History.** Original Rule entitled "Resolution of Conflicts" was filed on September 5, 1975; effective September 25, 1975. **Amended:** Rule repealed and a new Rule of the same title adopted. Filed April 18, 1977; effective May 8, 1977. **Amended:** Rule repealed and a new Rule of the same title adopted. Filed April 15, 1982; effective May 5, 1982. **Repealed:** New Rule, same title, adopted. F. May 11, 1993; eff. May 31, 1993.

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CHAPTER 40-22-5
STANDARDS FOR RESULTS OF TREATMENT

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40-22-5-.01 Standards for Results

40-22-5-.02 Certain Products Exempted

40-22-5-.01 Standards for Results. Amended.

Treatment of all lumber, timber, timber products and plywood specified under the American Wood-Preservers' Association Standards shall result in preservative penetrations as specified under the specific treatment standard and shall have the minimum retentions per cubic foot as specified under AWP Standard C16-92 and determined by appropriate methods specified in the applicable Standard.

Authority Ga. L. 1973, p. 1418. O.C.G.A. Sec. [2-14-104](#). **History.** Original Rule entitled "Standards for Results" was filed on September 5, 1975; effective September 25, 1975.

Amended: Rule repealed and a new Rule of the same title adopted. Filed April 18, 1977; effective May 8, 1977. **Amended:** Rule repealed and a new Rule of the same title adopted. Filed April 15, 1982; effective May 5, 1982. **Repealed:** New Rule, same title, adopted. F. May 11, 1993; eff. May 31, 1993.

40-22-5-.02 Certain Products Exempted. Amended.

Preservative and Treatment Standards shall not apply to poles, piling, railroad ties, timber or laminated structures when these commodities are treated under preservative and treatment standards prescribed by a Federal or State Agency, department or subdivision, a railroad or other public utility or others purchasing under the specifications of such an agency, nor shall they apply to any product for which preservative and treatment standards are prescribed by a registered professional engineer or architect in written specifications or plans for a specific application.

Authority Ga. L. 1973, p. 1418. **History.** Original Rule entitled "Certain Products Exempted" was filed on September 5, 1975; effective September 25, 1975. **Amended:** Rule repealed and a new Rule of the same title adopted. Filed April 18, 1977; effective May 8, 1977.

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CHAPTER 40-22-6
IDENTIFICATION OF TREATED TIMBER PRODUCTS

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40-22-6-.01 Identification of treated Timber Products

40-22-6-.01 Identification of Treated Timber Products.

All treated timber products subject to this act and offered for sale in the State shall be clearly identified with the information specified within this chapter. All identification labels, marks or brands shall be approved and registered by the Commissioner prior to use on treated timber products destined for use or sale in the State.

(a) Treated timber products may be identified using any one of the following methods, provided the one used is clearly legible:

1. Hammer imprint mark;
2. Metal nail or tag;
3. Plastic nail or tag;
4. Durable cardstock;
5. Burn brand;
6. Ink stamp.

(b) All timber and timber products treated with oilborne preservatives, including agricultural fence posts, poles, rough lumber, timbers or other materials shall be identified by a mark which shall include, but shall not be limited to, identity of the treater and the year(s) of treatment. Lumber of less than two (2) inches actual thickness shall have not less than twenty (20) percent of the pieces in each shipment marked.

(c) All timber and timber products treated with waterborne preservatives, including but not limited to dressed lumber, timber, plywood, boards, lattice and landscape timbers shall be identified with the mark of an inspection agency approved by the American Lumber Standards Committee (ALSC) or a similar mark approved by the Commissioner. Every piece shall be marked, except when material one (1) inch or less in nominal thickness and four (4) inches or less in nominal width, or lumber two (2) inches or less in nominal thickness and less than four (4) inches in nominal width, or lumber which is thirty-six (36) inches or less in length, has been bundled, only the exterior top faces of the bundle need be marked.

1. A "similar mark approved by the Commissioner" shall include the identity of the treating plant and the year(s) of treatment, the preservative symbol (CCA, etc.), the exposure application (Ground Contact, etc.) and the preservative retention.

Such information shall be legible to the average reader and applied with reasonable permanency.

(d) Any timber or timber product treated with a preservative for cosmetic purposes or whose treatment otherwise does not conform to the treatment standards of the Georgia Treated Timber Products Act shall be prominently identified by a sign at least eight by ten (8 x 10) inches at the point of retail sale or when otherwise offered for sale by a written statement provided to the purchaser worded as follows:

"This product has been treated with recognized wood preservatives but is not intended nor represented to conform to the retention and penetration requirements of the Georgia Treated Timber Products Act nor to be adequately treated for protection against decay or insect attack."

Authority Ga. L. 1973, p. 1418. O.C.G.A. Sec. [2-14-104](#). **History.** Original Rule was filed on September 5, 1975; effective September 25, 1975. **Amended:** Filed April 18, 1977; effective May 8, 1977. **Repealed:** New Rule entitled "Identification of Treated Timber Products" adopted. F. May 11, 1993; eff. May 31, 1993.

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CHAPTER 40-22-7
SHIPPING DOCUMENTS

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40-22-7-.01 Shipping Documents

40-22-7-.01 Shipping Documents.

Every shipment of timber or timber products treated with preservative and made from a processor or dealer to any point within the State of Georgia shall be accompanied by a delivery invoice or other shipping document. Such document shall contain, in addition to other information required by the purchaser, sufficient information to properly identify the product and its treatment, including the type of treatment, preservative used and the guaranteed average retention per cubic foot. Authority Ga. L. 1973, p. 1418. O.C.G.A. Sec. [2-14-104](#). **History.** Original Rule was filed on September 5, 1975; effective September 25, 1975. **Repealed:** New Rule, same title, adopted. F. May 11, 1993; eff. May 31, 1993.

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CHAPTER 40-22-8
ENFORCEMENT

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40-22-8-.01	Inspection and Sampling	40-22-8-.02	Analysis and Examination of Samples
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40-22-8-.01 Inspection and Sampling. Amended.

All inspection and sampling shall be performed only by a regular employee of the Georgia Department of Agriculture or another person designated by the Commissioner to perform these functions. All timber and timber products shall be sampled in accordance with sampling procedures specified in the Standards of the American Wood-Preservers' Association as follows:

- (a) Wood Preservatives. Preservatives shall be sampled in accordance with Standard A4-80 of the American Wood-Preservers' Association;
- (b) Timber and Timber Products. Timber and timber products shall be sampled in accordance with the appropriate American Wood-Preservers' Association commodity treatment standard in conjunction with Standard M2-91 of the American Wood-Preservers' Association.

Authority Ga. L. 1973, p. 1418. O.C.G.A. Sec. [2-14-104](#). **History.** Original Rule entitled "Inspection and Sampling" was filed on September 5, 1975; effective September 25, 1975. **Amended.** Rule repealed and a new Rule of the same title adopted. Filed April 18, 1977; effective May 8, 1977. **Amended:** Rule repealed and a new Rule of the same title adopted. Filed April 15, 1982; effective May 5, 1982. **Repealed:** New Rule, same title, adopted. F. May 11, 1993; eff. May 31, 1993.

40-22-8-.02 Analysis and Examination of Samples. Amended.

Examination and analysis of samples shall be made in accordance with standard methods of analysis of the American Wood-Preservers' Association as follows:

- (a) Analysis of Preservatives:
 - 1. Creosote and Oil Type Preservatives: American Wood-Preservers' Association Standards A1-91, A5-91 or A9-90;
 - 2. Water-Borne Preservatives: American Wood-Preservers' Association Standards A2-92 and/or American Wood-Preservers' Association Standards A9-90 or A11-83.
- (b) Analysis of Treated Wood Samples:
 - 1. Oil type preservatives and water in wood: American Wood-Preservers' Association Standards A5-91, A6-89, or A9-90 as appropriate;

2. Water-Borne Preservatives in Wood: American Wood-Preservers' Association Standards A2-92, A7-75, A9-90 or A11-83.

(c) Penetration of Preservatives: Penetration of preservatives in all treated timber and timber products shall be determined by the American Wood-Preservers' Association Standard A3-91.

(d) Nothing in this chapter shall prohibit the Commissioner from using such other methods of analysis as he may determine to be equivalent to those of the American Wood-Preservers' Association, including methods employing Gas Chromatography, X-Ray, Atomic Absorption and Colorimetry.

Authority Ga. L. 1973, p. 1418. O.C.G.A. Sec. [2-14-104](#). **History.** Original Rule entitled "Analysis and Examination of Samples" was filed on September 5, 1975; effective September 25, 1975. **Amended:** Rule repealed and a new Rule of the same title adopted. Filed April 18, 1977; effective May 8, 1977. **Amended:** Rule repealed and a new Rule of the same title adopted. Filed April 15, 1982; effective May 5, 1982. **Repealed:** New Rule, same title, adopted. F. May 11, 1993; eff. May 31, 1993.

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OF
GEORGIA DEPARTMENT OF AGRICULTURE
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CHAPTER 40-22-9
GRADING STANDARDS

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40-22-9-.01	Definitions	40-22-9-.03	Enforcement
40-22-9-.02	Grading Standards		

40-22-9-.01 Definitions.

"Dimension Lumber" means lumber that is at least two inches in nominal thickness and up to but not including five inches in nominal thickness and two inches or more in width. This includes any:

2 × (2, 3, 4, 5, 6, 8, etc.)

3 × (3, 4, 5, 6, 8 etc.)

4 × (4, 5, 6, 8, etc.)

It does not include any lumber five inches or more in nominal thickness.

Authority O.C.G.A. Sec. [2-14-120](#). **History.** Original Rule entitled "Definitions" adopted. F. Jan. 24, 1991; eff. Feb. 13, 1991.

40-22-9-.02 Grading Standards.

All dimension lumber stamped to designate its grade must be inspected and grade stamped only by an agency currently licensed by the American Lumber Standards Committee, or by an organization participating in a bonafide grade stamping supervisory program administered by any such agency. No grade stamp shall be applied to such dimension lumber other than one approved for the Agency by the American Lumber Standards Committee.

Authority O.C.G.A. Sec. [2-14-121](#). **History.** Original Rule entitled "Grading Standards" adopted. F. Jan. 24, 1991; eff. Feb. 13, 1991.

40-22-9-.03 Enforcement.

Any dimension lumber which the Commissioner finds being offered for sale in Georgia which bears any grade stamp, other than one which at the time it was affixed was assigned to an inspection agency licensed by the American Lumber Standards Committee, shall be placed under Stop Sale Order by the Commissioner or his agent until such dimension lumber is grade stamped in compliance with Georgia Law. In order for any dimension lumber to be brought into compliance with

O.C.G.A. [2-14-121](#), any non-approved grade stamp affixed thereto must be obliterated or otherwise rendered illegible. Such dimension lumber may then be sold as ungraded lumber or may be inspected, graded, and stamped by an inspection agency currently licensed by the American Lumber Standards Committee. No dimension lumber subject to a Stop Sale Order shall be moved or otherwise disposed of without the written consent of the Commissioner of Agriculture.

Authority O.C.G.A. Sec. [2-14-122](#). **History.** Original Rule entitled "Enforcement" adopted. F. Jan. 24, 1991; eff. Feb. 13, 1991.